

From: Rochlin, Kevin
Sent: Friday, November 08, 2013 1:58 PM
To: Wes Edmo
Cc: Rochlin, Kevin
Subject: RE: TERO Compliance

Categories: 11-19 to 1-10 2014

Mr. Edmo,

Thank you for your response. Your words really do resonate with me.

EPA is performing field oversight of work being done by FMC. A single individual representing EPA is onsite watching work that is ongoing. The oversight needs to be performed by a neutral party. We are therefore not sure how we would meet the hiring requirements of TERO. We are however providing the Tribes more than \$80,000 per year so that they can be fully involved with this project.

Kevin Rochlin

From: Wes Edmo <wgedmo@sbtribes.com>
Sent: Wednesday, November 06, 2013 1:04 PM
To: Rochlin, Kevin
Cc: Mark EchoHawk; Summer M. Baldwin; Samantha DeRouche; Bill Bacon; Kelly Wright; Monica Sanada; Blaine Edmo; Chris Hugues; Angelo Gonzales
Subject: FW: TERO Compliance

Kevin: Thank you for your response. We want to invite you as a federal employee with a trust relationship with our tribe's and your contractor to TEAM WITH US TO MAKE THIS A GREAT SUCCESS STORY. I am responding to let you know I hope you and Staff people from EPA understand the current and ongoing state of economic affairs in Indian Country, i.e., the high unemployment rate that exists on the Fort Hall Indian Reservation and other Indian reservations in the U.S. We have come a long way as a Tribe in developing our workforce; many of whom have received much formal training and others with ongoing on the job training and we are proud of our SKILLED WORKFORCE.

Federal Authorizing Legislation for TERO & Worker Protection Ordinances: We need jobs and Congress authorized Public Law 93-638 or The Indian Self Determination and Educational Assistance Act in 1975 and again reinforced the importance of Indian Preference in employment, training, and contracting in 1994 with the Indian Self Determination Contract Reform Act. We have two major pieces of legislation that Congress mandated and allowed tribes to develop local preference tiers in employment, training, and contracting to assist us in the development of our ECONOMY that NEVER existed under the paternal oversight of the Bureau of Indian Affairs; that is the very reason tribe's went to Congress and had these two major pieces of federal legislation passed.

CRITICAL EMPLOYMENT NEED: It is critical need we have on the Fort Hall Indian Reservation for employment of our people. We have developed a great skilled Indian Workforce over the years, many who had worked at the FMC plant in the past.

SHOSHONE-BANNOCK WPO/SKILLED AND TRAINED WORKFORCE: In the past 3 years since I have been the TERO Director we also adopted a Worker Protection Ordinance(2010) and Chapter 7 established our version of OSHA or what is title TOSHA, Tribal Occupational Safety and Health Administrative statutes. We hired an tribal member who is an OSHA Certified Trainer, or Certified Safety Professional in Chris Hugues. Mr. Hugues has trained over a great percentage of our current workforce in our database in all of the federally required safety classes, OSHA 10, OSHA 30, Fall Protection, Stairs and Ladders, Scaffolding, Signalman and Rigging, Hazwoper, etc.

SNAP SHOT OF SKILLED WORKFORCE: We have over 30 Journeyman Carpenters, 5 Apprentice Carpenters, 20 Journeyman Heavy Equipment Journeyman Operators, 7 Apprentice Heavy Equipment Operators, 6 Journeyman Electricians, 3 Apprentice Electricians, 7 HVAC Journeyman, 4 Apprentices, 3 Journeyman Plumbers, 3 Apprentices, 12 Industrial Fire System Skilled /Pipefitters and skilled workers, 20 Journeyman Ironworkers, 5 Apprentice Ironworkers, 20 Certified Welders, over 15 Pipefitters, we have it all, please honor this opportunity to work in concert with us and provide jobs. Please let us team together to make this a win-win scenario.

QUALIFIED TERO CONTRACTORS: Example: Kase-Warbonnet – A TERO Certified Firm that has been providing environmental monitoring for FMC since closure of the plant.

TEAM FOR SUCCESS: We can worked together and make this a model cleanup project. We have TERO Certified Firms who have done environmental cleanup work and who can do the construction work. Thanks. Please let us have communication and develop a strategy to (1) Clean Up The Site, (2) Employ our Skilled Tribal Workforce and Contractors, allow our Certified Safety Professional to provide needed enforcement, oversight and monitoring of project.

TIME TO ACT IN A POSITIVE MANNER: Again, let's not let this opportunity pass us by, we have a great opportunity to TEAM TOGETHER TO CREATE A SUCCESS story, model project. We just completed a major Hotel Event Center here at Fort Hall and used

our Workforce to build along with outside contractors who followed our TERO and Worker Protection Ordinances. Great success story and great product.

Thanks. Wesley Edmo, Shoshone-Bannock TERO Director. Can we set up a time to talk and plan this out. Let me know as soon as possible.

From: Wes Edmo
Sent: Wednesday, November 06, 2013 8:19 AM
To: Wes Edmo
Subject: Fw: TERO Compliance

From: Rochlin, Kevin [<mailto:rochlin.kevin@epa.gov>]
Sent: Tuesday, November 05, 2013 05:42 PM
To: Wes Edmo
Cc: Mark EchoHawk <mark@echohawk.com>; Bill Bacon; Wendy Farmer; Kelly Wright; FHBC; Samantha DeRouche; Summer M. Baldwin; Chris Hugues; Ordine, Charles <Ordine.Charles@epa.gov>; Sheldrake, Beth <sheldrake.beth@epa.gov>; Albright, Rick <Albright.Rick@epa.gov>; Wallace, Joe <Wallace.Joe@epa.gov>; Jennings, Jannine <Jennings.Jannine@epa.gov>
Subject: RE: TERO Compliance

Mr. Edmo,

Thank you for your message and the attached information on TERO. We are discussing EPA's compliance with TERO with EPA Headquarters. This may take some time to resolve. Please bare with us as we consult with our Headquarters on this.

Thank you.

Kevin Rochlin

From:

Kevin Rochlin, Project Manager
Office of Environmental Cleanup
United States Environmental Protection Agency
Region 10
Suite 900
1200 6th Avenue
Seattle, WA 98101
(206) 553-2106
(206) 553-0124 (fax)
rochlin.kevin@epa.gov

From: Wes Edmo [<mailto:wgedmo@sbtribes.com>]
Sent: Tuesday, November 05, 2013 2:40 PM
To: Rochlin, Kevin
Cc: Mark EchoHawk; Bill Bacon; Wendy Farmer; Kelly Wright; FHBC; Samantha DeRouche; Summer M. Baldwin; Chris Hugues
Subject: FW: TERO Compliance

Mr. Kevin Rochlin: I sent this email to you to submit to the Contractor, Booz-Allen Contractor, seven days ago. Booz-Allen is currently doing work for EPA at the FMC EMF project site. It has been (7) working days since I emailed this information to you. Please advise me if you forwarded this TERO Contractor Packet to contractor Booz Allen. I will forward to this entity if you can send me their email, formal address and phone number and the responsible person that can sign off and or negotiate the TERO Compliance Plan with the TERO Office for Booz-Allen company. Currently if they are doing work within the exterior boundaries of the Fort Hall Indian Reservation and this entity has a contract for over \$5000 they will need to comply with the TERO-08-S1 Ordinance. Please be advised that failure to comply with the TERO law and regulation the TERO Commission can at their discretion fine companies \$400 and up to \$1500 a day for continuous violations. Thank you.

Wesley Edmo, TERO Director , Shoshone-Bannock Tribes. Please get back to me (208)478-3847

We have reports this Company, Booz Allen has employee doing work on site so please make the effort to have them comply with the TERO-08-S1 Ordinance. Please have their authorized representative contact me or TERO Compliance Officer, Summer Baldwin, sbaldwin@sbtribes.com, 1(208)478-3755, to set up a Compliance Plan negotiation meeting. Please make sure to have this forwarded to your contractor Booz-Allen BAH. Thank you. Wesley Edmo, TERO Director, Shoshone-Bannock Tribes, Fort Hall Indian Reservation. 1(208)478-3847.

From: Wes Edmo

Sent: Friday, October 25, 2013 8:11 AM

To: 'rochlin.kevin@epa.gov'

Cc: 'Mark EchoHawk'; 'smbaldwin@sbtribes.com'; Samantha DeRouche; 'chugues@sbtribes.com'; Kelly Wright; Wendy Farmer

Subject: TERO Compliance

Kevin: Good morning, I am Wesley Edmo, the Tribal Employment Rights Director at the Shoshone-Bannock Tribes. We will invite your representative to make sure he works within the legal framework of our TERO Jurisdiction on the Fort Hall Indian Reservation. It is our understanding that EPA is a federal trustee of the Shoshone-Bannock Tribes and all contracted services must follow our process within the Fort Hall Indian Reservation. See attachment. If you need our TERO Ordinance and Regulations please advise. We appreciate your cooperation in this matter and kindly have the Contractor/Service Provider submit this back to the TERO Office within the next 10 days. Thank you. WE

Wesley G. Edmo

Shoshone-Bannock Tribes

TERO Department

P.O. Box 306

Fort Hall, Idaho 83203

Phone: 208.478.3847

Email: wgedmo@sbtribes.com

TERO color logo.jpg



***** ATTACHMENT NOT DELIVERED *****

This Email message contained an attachment named
image001.jpg

which may be a computer program. This attached computer program could
contain a computer virus which could cause harm to EPA's computers,
network, and data. The attachment has been deleted.

This was done to limit the distribution of computer viruses introduced
into the EPA network. EPA is deleting all computer program attachments
sent from the Internet into the agency via Email.

If the message sender is known and the attachment was legitimate, you
should contact the sender and request that they rename the file name
extension and resend the Email with the renamed attachment. After
receiving the revised Email, containing the renamed attachment, you can
rename the file extension to its correct name.

For further information, please contact the EPA Call Center at
(866) 411-4EPA (4372). The TDD number is (866) 489-4900.

***** ATTACHMENT NOT DELIVERED *****